



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

KENT A. FISCHMANN, Esq.
MARSH, FISCHMANN & BREYFOGLE LLP
3151 SOUTH VAUGH WAY
SUITE 411
AURORA, CO 80014

MAILED
MAR 12 2005
Technology Center 2100

In re Application of: Green, et al.
Application No. 09/892,204
Filed: June 26, 2001
For: METHOD AND APPARATUS FOR
NORMALIZING AND CONVERTING
STRUCTURED CONTENT

DECISION ON PETITION
TO MAKE SPECIAL
UNDER 37 CFR 1.102(d)

This is a response to the petition filed June 21, 2004, under 37 C.F.R. §1.102(d) to make the above-identified application special. A fee under 37 CFR 1.17(h) accompanied the petition submission.

The Petition is **DISMISSED**.

M.P.E.P. §708.02, Subparagraphs I - XII set out the prerequisites for a grantable petition for Advanced Examination under 37 C.F.R. §1.102(d), which states in relevant part:

37 CFR 1.102. Advancement of examination.

- (a) Applications will not be advanced out of turn for examination or for further action except as provided by this part, or upon order of the Director to expedite the business of the Office, or upon filing of a request under paragraph (b) of this section or upon filing a petition under paragraphs (c) or (d) of this section with a showing which, in the opinion of the Director, will justify so advancing it.
- (b) Applications wherein the inventions are deemed of peculiar importance to some branch of the public service and the head of some department of the Government requests immediate action for that reason, may be advanced for examination.
- (c) A petition to make an application special may be filed without a fee if the basis for the petition is the applicant's age or health or that the invention will materially enhance the quality of the environment or materially contribute to the development or conservation of energy resources.
- (d) A petition to make an application special on grounds other than those referred to in paragraph (c) of this section must be accompanied by the fee set forth in § 1.17(h).

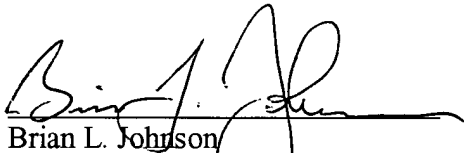
New applications ordinarily are taken up for examination in the order of their effective United States filing dates. Certain exceptions are made by way of petitions to make special, which may be granted under the conditions set forth in MPEP §708.02, subparagraphs I - XII.

The petition filed June 21, 2004 fails to adequately meet the requirements of MPEP §708.02 and the criteria set forth above. Petitioner has failed to provide identification of the appropriate subparagraph on which the petition to make special is to be considered (subparagraph I – XII), along with the corresponding criteria of such identified subparagraph i.e. the petition filed June 21, 2004 is incomplete. Thus, the petition to make special for the instant application, fails to show, in the opinion of the Director, justification for advancement out of turn.

Petition to Make Special **DISMISSED**.

Petitioner is given one opportunity to perfect the petition. Any request for reconsideration must be filed within TWO MONTHS of the mail date of this decision.

Until the renewed petition is submitted, the application will be returned to the examiner's docket to await treatment on the merits in the normal order of examination.



Brian L. Johnson
Special Program Examiner
Technology Center 2100
Computer Architecture, Software and Information Security
571-272-3595